UNITED STATES PATENT AND TRADEMARK OFFICE

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FLIESLER MEYER LLP
650 CALIFORNIA STREET
14TH FLOOR
SAN FRANCISCO, CA 94108

EXAMINER
MITCHELL, JASON D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 July 2007_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,6-11,13-18,20 and 21_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,6-11,13-18,20 and 21_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-4, 6-11, 13-18 and 20-21 are pending in this application.

Response to Amendment

2.   The Examiner notes that the text "or directives" is not shown as deleted (or at all)

in claims 8 and 15. It is assumed applicant intended this text to be deleted. The

Examiner further notes that claim 18 as presented indicates dependence on claim 8 but

this is not identified as a change. It is assumed for this examination that dependency of

the claim was not intended to change..

Response to Arguments

3.   **Applicant's arguments with respect to claims 1-4, 6-11, 13-18 and 20-21**

have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-4, 6-11, 13-18 and 20-21 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over US 7,117,411 to McNeely et al. (McNeely) in view of US

2003/0055836 to Dubovsky (Dubovsky).

6.   **Regarding Claims 1, 8 and 15:** McNeely discloses a system that provides a

generic user interface testing framework, comprising:

a computer including a computer readable medium, and a processor operating

thereon (Fig. 1);

one or more software test tools that are invoked to perform testing operations on

a software application (col. 13, lines 49-52 "a plurality of device-specific test case

packages 404"; col. 13, lines 47-49 "a suitable GUI tester is added via a new package");

a test case input file stored on the computer readable medium, that contains a

plurality of generic interface commands (col. 15, lines 47-52 "an abstract command

language command (ST4)"), wherein the test case input file can be edited and reused

as necessary by a user to specify different generic interface commands for testing in the

same or a different software test tool (col. 4, lines 30-34 "test case and test plan editor");

and

an interpretive engine that executes on the computer, and that includes a

plurality of dynamically loaded libraries corresponding to the plurality of software test

tools (col. 13, lines 49-52 "a plurality of device-specific test case packages 404),

wherein the interpretive engine receives the generic interface commands defined in the

test case input file, loads required libraries to map the generic interface commands to

corresponding tool-specific testing operations (col. 15, lines 47-52 "based on the

mapping provided by the appropriate communication interface package, interprets the

command within the context of the specific DUT to which the command refers"), invokes

the software test tools to perform the testing operations on the software application's

graphical user interface, and reports the success or failure of the testing operations (col.

3, lines 53-56 "executing ... test cases"; col. 16, lines 6-8 "the resulting tool command

language command is subsequently passed to the communication interface 420").

7.   McNeely does not disclose a software application source code, including a

graphical user interface as part of the software application.

8.   Dubovsky teaches a software application source code, stored on the computer

readable medium, wherein the software application source code defines a software

application under development, including a graphical user interface as part of the

software application (par. [0015] "test case generation, maintenance and execution

required during the development and test cycle of a GUI software project");

9.   It would have been obvious to one of ordinary skill in the art at the time the

invention was made to apply McNeely's "generalized test environment" (see e.g. col. 3,

lines 53-67) to testing software application source code containing a graphical user

interface as taught by Dubovsky (see e.g. [par. 0015]) because one of ordinary skill in

the art would have been motivated to save developer time and resources (McNeely col.

3, lines 53-67 "the operator need only be familiar with a common script language rather

then device-specific test commands"; Dubovsky par. [0016] "reduce the investment in

manpower to implement, maintain and enhance automated test software") by providing

a generic test scripting environment for such systems (McNeely col. 3, lines 53-67;

Dubovsky par. [0007] "There are several known testing tools for debugging GUI

applications").

10.   **Regarding Claims 2, 9 and 16:** The rejections of claims 1, 8 and 15 are

incorporated respectively; further McNeely does not explicitly disclose the software test

tools stored locally on the same computer or machine.

11.   McNeely's background teaches that "The client/server framework allows a client

to be located on any system in the network, even on the same system on which the

server resides" (col. 3, lines 7-10).

12.   Accordingly, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to store the software test tools on the same computer or

machine as McNeely's "Test Tools Server" (see Fig. 3).

13.   **Regarding Claims 3, 10 and 17:** The rejections of claims 1, 8 and 15 are

incorporated respectively; further McNeely discloses the software test tools are stored

at another computer or machine (Fig. 3).

14.   **Regarding Claims 4, 11 and 18:** The rejections of claims 1, 8 and 15 are

incorporated respectively; further McNeely discloses the editor or wizard provides a

graphical interface to allow the user to edit or create the test case input file (col. 4, lines
30-34 "test case and test plan editor").

15.   **Regarding Claims 6, 13 and 20:** The rejections of claims 1, 8 and 15 are
incorporated respectively; further McNeely discloses the test case input file is created
offline and subsequently communicated to the interpretive engine (col. 15, lines 31-34
"downloads the test to execution engine 400").

16.   **Regarding Claims 7, 14 and 21:** The rejections of claims 1, 8 and 15 are
incorporated respectively; further McNeely discloses a software test tool can be
replaced with another test software tool (col. 13, lines 47-49 "a suitable GUI tester is
added via a new package"), but does not explicitly disclose the test software tool can be
removed.

17.   McNeely teaches "the test cases are independent of the number or types of
devices under test" (col. 3, lines 56-57).

18.   Accordingly It would have been obvious to one of ordinary skill in the art at the
time the invention was made to remove test software tools which had been replaced
with new test software tools (col. 13, lines 47-49 "a suitable GUI tester is added").

Conclusion

19.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason Mitchell whose telephone number is (571) 272-

3728. The examiner can normally be reached on Monday-Thursday and alternate

Fridays 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Mitchell/
Jason Mitchell
9/27/07

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100